

## **MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING**

24 May 2004

**PRESENT:** Cynthia A. Herman, Chairman  
Gary Daniels, Vice Chairman  
Noreen A. O'Connell, Member  
Len Mannino, Member  
Lawrence D. Pickett, Member  
Katherine E.L. Chambers, Town Administrator  
Darlene J. Bouffard, Recording Secretary

**1. CALL TO ORDER:** Chairman Herman called the meeting to order at 5:30 p.m.

**2. MINUTES:** The final minutes of the April 26, 2004 meeting were presented to Chairman Herman for review. On page 5, under the MAP/COMPASS paragraph, add "The list was not brought to the Loudon meeting." On page 10, the Water Charter discussion was clarified. Vice Chairman Daniels moved to accept the minutes as amended. Selectman Mannino seconded. All were in favor.

The final minutes of May 10, 2004 are currently in review due to the e-mail delays. Selectman Mannino moved to table the minutes of May 10, 2004. Vice Chairman Daniels seconded. All were in favor.

### **3. REPORTS OF BOARDS & SPECIAL COMMITTEES:**

**-Alternate Fiscal Year Committee.** There is a meeting May 25.

**-Ambulance Billing Write-Off Committee.** There is nothing new to report.

**-Ambulance Study Committee.** Meetings are scheduled for the first and third Wednesdays each month.

**-Board of Selectman Goals.** There is nothing new to report.

**-Conservation Commission.** There is nothing new to report.

**-DO-IT Committee.** Bill Ruoff attended the last meeting and came up with some new ideas for South Street. DO-IT looked into a streetscape designer for some renditions of what the street could look like.

**-Facilities Committee.** There is nothing new to report.

**-Fletcher Cap Committee.** There is nothing new to report.

**-Government Study Committee.** There is nothing new to report.

**-Heritage Commission.** There is nothing new to report.

**-Impact Fee Committee.** There is nothing new to report.

**-Joint Loss Management Committee.** There is nothing new to report.

**-Library Trustees.** There is nothing new to report.

**-MACC Base.** There is a meeting Wednesday morning with the Board of Governors. The emergency Department Heads have been tasked with creating an equipment list and frequency inventory. From there the BOG will review to see if they have missed anything.

## MINUTES OF BOARD OF SELECTMEN MEETING - 5/24/2004

**-Manifest.** There is nothing new to report.

**-MIDC.** There is nothing new to report.

**-NH School Health Care.** There is nothing new to report.

**-NRPC.** There is nothing new to report.

**-PEG Access Committee.** A meeting was held last week, during which documentation was reviewed from Manchester, Nashua and Hudson. Manchester has had this for 11 years and seems to have a good approach. The PEG Access Committee will come to the Board of Selectman soon for money. Vice Chairman Daniels suggested looking at the needs for each group as far as what they need and what common areas would benefit all the groups. Most of the cameras are coming from WBZ.

**-Personnel Committee.** There is nothing new to report.

**-Planning Board.** It was discussed whether the Police Station plans should go before the Planning Board. It was agreed that the plans should be seen by the Planning Board for discussion, but not for approval.

**-Police Station Building Committee.** There are 13 architects interested in this project.

**-Recreation Commission.** The commission is considering having a Board of Selectman dunking pool at the July 4 festivities. Members indicated a softball game would be preferable.

**-Recycling Committee.** The new signs for the Recycling Center have been printed and are on the way; they will be installed as soon as received.

**-Regional Water District.** A date needs to be set for a public meeting on the water district charter and the date needs to be in the paper about 1-2 weeks before the meeting. A public meeting was scheduled by members for Wednesday, June 23, at 7:30 p.m. The meeting will take place in the Board of Selectman meeting room, and the public meeting will be announced in the newspaper on June 17.

**-School Board.** There is nothing new to report.

**-Solid Waste Committee.** There is nothing new to report.

**-Volunteer Program.** Ruth Bolduc will attend volunteer training next week. This training suggests the Town should have volunteer policies and procedures in place.

**-Water/Sewer District Committee.** There is nothing new to report.

**-Zoning Board.** There is nothing new to report.

There were no other reports for this evening.

### 4. APPOINTMENTS:

**5:30 p.m. - Non-Public Session - Legal.** Upon motion made by Vice Chairman Daniels and seconded by Selectman O'Connell, all members assented to enter into non-public session at 5:30 p.m. to discuss a Water Department issue. Town Counsel Drescher arrived for the discussion. After discussion, a motion was made by Vice Chairman Daniels and seconded by Selectman Pickett to come out of non-public session at 5:55 p.m. No announcements were made.

**6:00 p.m. - Bill Ruoff Continuation of DPW Reorganization.** Bill Ruoff explained to the Board that the job descriptions for Foreman and Superintendent have been created, and the Fleet Mechanic has not. When the organization chart was originally made, the Accounts Payable person was under the Administrative Assistant, but that is now

## MINUTES OF BOARD OF SELECTMEN MEETING - 5/24/2004

different. The chart was just cleaned up other than that change. Selectman Pickett asked about the job descriptions all requiring CDL licensing with the exception of the Director. There was also more supervisory experience required for the people under the DPW Director than for the Director. Town Administrator Chambers said that was an oversight and will make that change to the Director job description. Selectman Pickett requested that CDL licensing be added to the Director position, to which Bill Ruoff explained he has never seen any Director position that requires CDL licensing. Selectman Pickett said the issue is that the Foreman and the Superintendent also do not need the license, so who can fill in for the person who drives the tractor if he is out? Selectman Pickett feels one of them should have that requirement.

Vice Chairman Daniels indicated on the Recycling Superintendent job description it states that person needs to remain up to date with the State regulations but that is not in any other Superintendent job description. Bill Ruoff said that could be added and was missed. There are, however, some regulations that the Cemetery Foreman needs to be aware of regarding fertilizers and pesticides, but that was unintentionally left out of the job description. Selectman O'Connell noted the Grade Levels that were agreed to with the Board of Selectman previously were as follows: all Foreman-Grade Level 16, Highway Superintendent-Grade Level 23, Cemetery & Parks Superintendent-Grade Level 21 and Solid Waste Superintendent-Grade Level 21. Some Grade Levels presented by Bill Ruoff to the Board at this meeting differed from those previously agreed upon. Chairman Herman recommended this issue be tabled until the budget sessions begin. Town Administrator Chambers noted that the Truck Driver was to be hired April 1 and the Highway Superintendent was to be hired May 1. The Superintendent of Cemeteries & Parks is to be hired June 1 and there are others to be hired coming up in July, so these need to be completed. Bill Ruoff asked if there were any questions on the Water Foreman job description and if Grade Level 16 was acceptable to the Board of Selectman for that position? Chairman Herman does not have a problem with that because that was what was previously agreed to with the previous Board of Selectman. Bill Ruoff noted that the Truck Driver job description is ready and he wants to interview people soon. Selectman Pickett asked where the money will come from for the increases in pay levels? Town Administrator Chambers said the levels recommended by Bill Ruoff were used in the budget for 2004. Town Administrator Chambers said there are sufficient funds in the budget. Selectman O'Connell asked where (within the pay range) are these positions being hired. Town Administrator Chambers said that will depend on the person's experience and the pay level. Chairman Herman suggested this issue go to non-public later this evening because there are specific issues that need discussion. Town Administrator Chambers indicated she would like Bill Ruoff in those discussions. Bill Ruoff said he could be at the next meeting on June 14 to have the discussion regarding grade levels. Town Administrator Chambers noted that meeting will need to start at 5:00 p.m. Vice Chairman Daniels moved to table the grade level discussions until June 14 at 5:00 p.m. Selectman O'Connell seconded. All were in favor.

Other DPW items: Bill Ruoff updated the Board on the Union Street project. He walked the street with the State to identify a list of items to be completed. The finish pavement should be done by June but it could go out into July. The corner area that is being used for staging will be broken down and cleaned up once the job is done.

**6:30 p.m. - Fire Alarm System.** Chief Pauley introduced Mr. Allen and Lt. Pervere, who were present to answer questions regarding the recommendation to look into an upgrade of the existing Town-owned municipal fire alarm system. Selectman Pickett asked if the Town would realize additional revenue through this upgrade without going into the "alarm business?" Chief Pauley responded that through monitoring the alarm boxes, the Town is already in the alarm business. The existing telephonic alarm system is very problematic. There is a good revenue stream from this now and upgrading will increase that revenue. Selectman Mannino asked if there is a demand from the business community for an upgrade? Chief Pauley believes that is so; the current alarm business goes through a dispatch center that is not local and business owners would like it to go through a local service instead. Chairman Herman asked if the Town wants to provide better service, or are customers complaining about the current service? Chief Pauley said the businesses are receiving services, but there are two large companies in Town that are outside of the current service area and by expanding to this new system, those businesses can get this service. Chairman Herman asked why those companies can't pay for these upgrades? Chief Pauley responded that the Town already owns the receiver. Chairman Herman asked if the Town anticipates more customers or increased cost for current customers? Why would the Town want to handle this and not MACC Base? Chief Pauley answered the Town is already in the alarm monitoring business. Selectman O'Connell asked if MACC Base would handle the calls as the primary response and then contact the Fire Department? Chief Pauley said the dispatch center in Milford will be the primary dispatch center. If something happens to MACC Base, the Fire Department would still be able to monitor the calls. All the alarm permits are already handled through the Fire Department. Selectman O'Connell sees some redundancy to having the Fire Department handling all this. Town Administrator Chambers noted that some of the alarms are fireboxes but some can be set to trigger or to activate. The system is redundant because it has a backup system. The Town

## MINUTES OF BOARD OF SELECTMEN MEETING - 5/24/2004

alarm systems are totally inadequate. The panic alarm goes on at the Annex and sends the alarm to Indiana and we may or may not get the correct information from Indiana and it can take up to 20 minutes for Indiana to call MACC. Town Administrator Chambers is very concerned about the annex and Town Hall alarms, as is Art Bryan about the Library.

Selectman Pickett asked if the alarm system is owned by MACC Base? Chief Pauley explained the alarm system is owned by Honeywell, but it is handled by MACC Base. Selectman Pickett indicated if this is a MACC Base item, the Town should approach them about funding. We are not in a burglar alarm business. Right now, how much revenue does the Town bring in from the fire alarms and how much is being paid for by the Town? Chief Pauley explained there are 19 street boxes paid for by the Town. The master boxes are owned by the Town. Out of a total of 70 boxes, 19 are Town-owned and another 10 are paid for by school or Town. Selectman Pickett asked if it is known how much additional revenue will be brought in by this upgrade? Chief Pauley said the upgrade will bring in about 4 boxes per year so it may produce a 50% increase in revenue because of businesses wanting to go directly to MACC Base. Selectman Pickett asked if the system is purchased, will a second system be purchased for the Fire Department? That is what Chief Pauley would want to do - the equipment used now is very unreliable. Chairman Herman would like to separate what the Town needs to do as opposed to what is desired. She does not want to get into the business of alarm boxes. Selectman Mannino noted that this type of improved equipment will allow emergency personnel to identify where handicapped or elderly people are located in buildings that may be on fire and he feels there are more pros than cons. Selectman Pickett asked if that type of information comes through the system now? Chief Pauley said that does not come through now; and a lot of complexes for 55+ are coming to Milford. Selectman Pickett indicated this technology will require the business owner to upgrade their system in order to utilize this improved system. This sounds like a system that MACC Base should have. Selectman Pickett would like to see not just the Town's interest in an upgrade, but also the business interest that they would want to buy into the upgrade boxes at their end. Town Administrator Chambers indicated if this is done, the Town should own the system similar to the way the Town will take ownership of the MACC Base equipment being purchased. One problem is that Honeywell is not servicing its contracts. We need to have a system that works. Selectman Pickett asked if Honeywell can be replaced? Nelson Taylor, MACC Director, said Honeywell owns some of the equipment that is in MACC Base so there is not much that can be done other than go to Honeywell. Vice Chairman Daniels moved to table. Selectman Pickett seconded. All were in favor.

**6:45 p.m. - MIDC BROX Industrial Property Contract.** Bill Parker explained that this contract for the Brox Industrial Property has gone between MIDC, Bill Drescher and Brad Vear and is ready to be signed to have Mr. Vear handle the industrial marketing for the Brox property. Chairman Herman noted this contract is for one year and that a certain amount of land will go into conservation. Chairman Herman asked how that conservation land would affect this contract. Mr. Vear explained that if the Town takes out a section of the land, it would be reduced from the amount being offered for sale. Town Administrator Chambers noted that Bill Drescher has recommended Section 12 of the contract (binding arbitration) be removed but it is still in the contract. By initialing it, the Town would agree with the arbitration of disputes section. Brad Vear did not recall that being discussed with Bill Drescher and explained that Section 12 is there so if anything ended up in dispute, it would allow for a timely resolution without it being dragged into court. This removes the ability to have a trial by jury. Bill Parker asked what the rationale for removing it was. Town Administrator Chambers recalled Bill Drescher recommending there not be any arbitration in the contract. Vice Chairman Daniels asked if that is a deal breaker with Brad Vear, who responded that he thinks it will probably never be used but it is not a deal breaker. Selectman O'Connell noted if Section 12 is not initialed, it is null and void. Selectman O'Connell moved to accept the contract with Vear Commercial Properties for the industrial marketing of the Brox property. Selectman Pickett seconded. All were in favor. Selectman Mannino moved to allow Chairman Herman to sign the contract as the Board of Selectman representative and that she not initial the arbitration section (Section 12) as recommended by Bill Drescher. Vice Chairman Daniels seconded. All were in favor.

**7:00 p.m. - Recreation Commission Members Recognition.** Chairman Herman presented a Certificate of Appreciation to the Recreation Commission members as follows: Bob Courage, Bill Parker, Barbara Richardson and Travis Nadeau; Jan Burkhardt and Valerie Chappell were not in attendance. Chairman Herman noted this is for all the phenomenal hours put in on the Recreation Commission and expressed that the Board of Selectman truly appreciate the time and work that has been put in.

**7:15 p.m. - Eagle Scout Project / Shepard Park Scout House.** Charles Kurtz, Victor Falcetti and Ricky Jette were in attendance to discuss the lease for the Scout House and the project for the Scout House. Charles Kurtz explained

## MINUTES OF BOARD OF SELECTMEN MEETING - 5/24/2004

the lease will run out in spring of 2005 for the use of the Scout House at Shepard Park. A sponsor is required for the Boy Scout troop, which is what Mr. Falcetti provides through the American Legion. The term of the lease is coming up and in order to extend the lease, a meeting with the Board of Selectman is required and a Warrant Article needs to be presented to the Town. Chairman Herman asked about the scout project. Ricky Jette would like to fix up the scout house for his Eagle Scout project. He will clean up the house and fix some of the broken areas to include walls, floors, emergency lighting and lighting. The fire alarm is gone and the heating vent needs to be covered up. Chairman Herman asked if this will all be done under adult supervision? Charles Kurtz said there is always adult supervision and safety is the number one concern. Any electrical work is handled by a licensed electrician. Mr. Kurtz wants to ensure that once the work is complete, the lease will be extended. There is a Shepard Park fund that they would like to look into regarding what could be done in the future. The Town is looking at a 7-year lease, which is fine with them. The scouts have done a lot of work for the Town. The warrant would need to be written such that the American Legion is the sponsor for the scouts. Mr. Falcetti explained the American Legion has maintained the building for the Boy Scouts activities, however the lease states it is only for "Boy Scouts." Mr. Falcetti said they have been approached by other organizations that would like to use the building, but the lease states it is for Boy Scout use. Selectman Pickett asked if the lease could be changed to allow other organizations to use the building? Mr. Falcetti would like the building to be available to any kid organizations. It could just be changed to read that the building is available for Scouts.

Town Administrator Chambers has requested Chief Pauley to check a few items at the building. Bill Ruoff supports the scouts and hopes the lease will be approved and the project goes forward. Vice Chairman Daniels asked how long it will take to do the building improvements? Ricky Jette responded he hopes to get it done this year. Mr. Falcetti indicated the American Legion is not going to get involved in the improvements at Shepard Park - that is between the improvement committee and the Town. Vice Chairman Daniels moved to extend the lease with the American Legion for the use of the building by any scouts for a 7-year term and to have it be a Warrant Article in 2005. Selectman Pickett seconded. All were in favor.

**7:45 p.m. - Armory Road Pedestrian Bridge Proposal.** The Conservation Commission is interested in putting a bridge on Armory Road as part of the Rail-Trail. A bridge has become available for free, and Diane Fitzpatrick called the owner and it looks like it will suit this purpose. Bill Ruoff thinks it will work in the location crossing Armory Road. Steve Desmarais has offered to pick up the bridge and move it to Town. It will need to be painted, or it could be just sealed. The strip and paint lasts longer than just the seal. Diane Fitzpatrick needs the permission of the Board of Selectman to accept the bridge if the owner decides to donate the bridge to Milford. The owner has seen where we may place the bridge and he likes Milford. Until it is installed, the bridge could be stored on the Brox property. The bridge would need to be moved to Milford by the end of May if it is approved. Ms. Fitzpatrick explained that this bridge would get the walkers and bikers off Armory Road at the tight curve. Selectman Pickett asked if Armory Road can be widened at all? Ms. Fitzpatrick responded that the Town requirement for road width is 24 feet and the span of the bridge is 40 feet. Vice Chairman Daniels asked if the bridge is installed, would it take away any chance of ever straightening that road. Diane Fitzpatrick was told a while ago that any talk of straightening the road was met with opposition by the neighbors because it might increase the speed. Vice Chairman Daniels asked what the bridge height would be, to which Ms. Fitzpatrick responded it would be 15-17 feet above the road. Chairman Herman asked where the money will come from for painting and ramping. Ms. Fitzpatrick does not believe there will be any problem getting some money for this, however the grant people like to see the owners put in a little bit. Chairman Herman asked if this became a large amount of money, does Diane think it would be put on a Warrant, to which she said it could be and would cost about \$25 to \$30 per square foot to strip and paint. Selectman O'Connell noted the State is pushing to preserve these trestles. Selectman O'Connell moved to allow Diane Fitzpatrick/Conservation Commission to accept the bridge if it is offered to the Town. Selectman Mannino seconded. All were in favor.

### 5. UNFINISHED BUSINESS:

**-Approval of Amended Compost Marketing Agreement.** Larry Anderson incorporated all the changes requested as a result of the meeting with Selectman Mannino and Vice Chairman Daniels. There was discussion about the 2/3 volume being given to Agresource and if that would leave enough for Town residents. Larry Anderson suggested that the amount not be included in the agreement, but that it be left at the discretion of the WWTF Superintendent to keep enough to meet the demand. Selectman Pickett asked how much is typically given to residents each year, to which Larry Anderson responded it is approximately 1/3 but sometimes about 1/2. Selectman Mannino feels once



## MINUTES OF BOARD OF SELECTMEN MEETING - 5/24/2004

the residents are aware they can get this compost, there may be more of a demand for it. Larry Anderson agreed; that is why he believes it should be left open in the agreement. Selectman O'Connell also feels it should be controlled in-house. Chairman Herman would like the language to allow the amount of compost to change based on the amount taken by residents and the amount generated. Vice Chairman Daniels wants to be sure that if a resident wants the material that it is available. Selectman O'Connell moved to accept the wording changes as proposed by Mr. Anderson with the exception of item 4, page 2, which was modified to say, "Quantity: The quantity of compost sold by Agresource on behalf of the Town shall be the volume of COMPOST produced during the term of the Agreement, less the volume of COMPOST maintained on the site to give away to Milford residents and Wilton sewer users." Selectman Pickett seconded. Selectman O'Connell, Selectman Pickett, Chairman Herman were in favor of the motion. Selectman Mannino and Vice Chairman Daniels were opposed. Selectman O'Connell moved to accept the agreement with Agresource with the changes as noted. Vice Chairman Daniels seconded. All were in favor.

**-Third Reading of Modifications to the Hawkers, Peddlers & Vendors Ordinance.** The revised ordinance was read to Board of Selectman by Town Administrator Chambers for approval. Vice Chairman Daniels moved to accept the third reading of the modifications to the Hawkers, Peddlers & Vendors Ordinance. Selectman Mannino seconded. All were in favor. Selectman O'Connell moved to authorize Town Administrator Chambers as the duly authorized agent for the Board of Selectman in such matters. Selectman Mannino seconded. All were in favor.

**-Discussion of Board Policy on Responding to Legislative Proposals at the State Level.** Selectman Pickett asked if this is for all departments. Chairman Herman said this policy would be for all Town departments. Selectman Mannino moved to accept the policy as written. Vice Chairman Daniels seconded for discussion. Town Administrator Chambers feels the policy is not workable because of the amount of times employees are approached to give an opinion in different situations. The Town expects its employees to give a professional opinion. For example, the Fire, Police and Ambulance Directors are concerned that they could not do a press release under this policy. Chairman Herman said they could, it would just require prior approval by the Board of Selectman or Town Administrator. If they have approval to give a press release under their jurisdiction, it's all set. Selectman Mannino noted he understood this policy to be specific to the House and Senate of NH. Town Administrator Chambers was unsure if that is the way the policy is written. Selectman Mannino suggested the policy should specifically state it is for House or Senate of NH. Town Administrator Chambers asked the Board of Selectman if this policy specifically addresses testimony made by employees or does this also include discussions at professional organizations? If someone asks for a statement related to that person's position, are they restricted to make any statement by this policy? Selectman Mannino indicated if the employee is testifying or is a representative for the Town, the Board of Selectman or the Town Administrator needs to be aware of that standing. Chairman Herman added if the Town is paying for the joining fee for that professional organization and they lobby for particular legislation, that employee needs to represent what the Town's standpoint is. Town Administrator Chambers said there are a lot of organizations that do not lobby, but try to make things work better.

At the staff meeting when Town Administrator Chambers brought this up, Diane Fitzpatrick said there was an outcry of what the process would be to come before the Board of Selectman to explain the standing. Ms. Fitzpatrick said Town employees are hired professionals and the Town needs to trust what positions its employees are going to take. Selectman O'Connell feels this policy will tie the hands of the employees. If an employee is asked a question, is the Board expecting people to clarify whether it is being asked of them as an employee or as an individual? Just because someone is an employee, Selectman O'Connell feels that the Town cannot tell people how to respond. Selectman Mannino understands that this is just for testifying before the House and Senate. Town Administrator Chambers feels if that is the case, it will work, but if it is all expansive it will not work. Chairman Herman suggested then that if someone is exercising their right to freedom of speech, it is done on their own time. Town Administrator Chambers thinks all the Department Heads are well aware of their role as public officials. Once a person is a public official, even if they say they are speaking as an individual, people will still feel they are talking as a public official. Selectman Pickett would like to see some specific examples of how this would be handled by employees. Vice-Chairman Daniels moved to table. There was no second. Selectman O'Connell moved to drop this subject. There was no second. Selectman Pickett moved to accept the policy. Selectman Mannino seconded for discussion. Selectman Mannino asked if adopting this policy means it is only for testifying at the House and Senate? Members agreed that needs to be worked out. Selectman Pickett withdrew his motion. Vice Chairman Daniels moved to table. Selectman Mannino seconded. All were in favor.

**-Consideration of State Motor Vehicle Registration - MAPP & COMPASS.** Chairman Herman is awaiting answers. Town Administrator Chambers needs to contact the office for follow up.

## MINUTES OF BOARD OF SELECTMEN MEETING - 5/24/2004

**-Lease Agreement with US Cellular Discussion.** This is moving along with US Cellular; progress is being made and some items are being finalized as discussed at the last meeting. Proposals for structural assessment and communications assessment were reviewed and Town Administrator Chambers would like to recommend two proposals, then pass them on to US Cellular. Mark F. Hutchins out of Vermont is recommended for the communications assessment. It will cost \$7,000 exclusive of travel and any meetings he must attend. Clough Harbor from Keene is recommended for the structural assessment; they were also used at the Brox site and will cost \$10,000 plus another \$4,000 for an evaluation of a replacement tower if one is deemed necessary. Town Administrator Chambers needs Board of Selectman approval to award these contracts. Selectman Pickett asked if only one RFP went out? Town Administrator Chambers said the RFP went out to about 6 companies each, and it was also advertised in the newspaper. The Town received two responses for the communications assessment and four responses for the structural assessment. Vice Chairman Daniels moved to authorize Town Administrator Chambers to award the contracts to Mark F. Hutchins and Clough Harbor or as recommended by Town Administrator Chambers. Selectman O'Connell seconded. All were in favor.

**-Nashua Street Traffic Study.** Board of Selectman members need to accept the report that was presented at the last meeting. Vice Chairman Daniels moved to accept the traffic study report that was presented at the last meeting. Selectman Pickett seconded. All were in favor. Selectman O'Connell moved to refer the report to the traffic safety committee. Vice Chairman Daniels seconded. All were in favor.

**-Tax Collector / Town Clerk Reorganization Discussion.** This will be discussed at the next Board of Selectman meeting.

**-Proposed Draft Amendments to Town Wrecker Rotation Policy.** Selectman Mannino and Vice Chairman Daniels got together and made revisions to this policy and will meet Wednesday with the tow companies to get their input. Town Administrator Chambers spoke with Nelson Taylor who will also provide information for the policy.

**-Discussion of Towing Company Concerns.** A letter was sent to Kinney Towing requesting an explanation of this situation; no response has yet been received.

**-Discussion of Telephone Pole Licenses.** Mary Feeney will be attending the next Board of Selectman meeting to discuss the placement of poles and the licenses.

**-Status of Osgood Pond.** There is still a delay on this project.

**-Non-Public Session - RSA 91-A:3 II (c).** Upon motion made by Selectman O'Connell and seconded by Vice Chairman Daniels, all members assented to enter into non-public session at 10:45 p.m. to discuss a matter covered by RSA 91-A:3 II (c). After discussion, a motion was made by Selectman Mannino and seconded by Selectman O'Connell to come out of non-public session at 11:00 p.m. No announcements were made.

**-Non-Public Session - Personnel.** Upon motion made by Selectman Mannino and seconded by Selectman O'Connell, all members assented to enter into non-public session at 11:00 p.m. to discuss a personnel issue. After discussion, a motion was made by Selectman Mannino and seconded by Selectman Pickett to come out of non-public session at 11:23 p.m. No announcements were made.

## 6.NEW BUSINESS.

**-2005 Budget Philosophy & Schedule Discussion.** Town Administrator Chambers sent a memo to Board of Selectman members and has talked with Rose Evans and the staff about possibly changing the budget process. Vice Chairman Daniels asked about number 3 on the recommended philosophy relative to how department heads would develop their budgets working up to a default budget plus percentage increase rather than working down from their budget to that amount. The increase in the insurance and other fixed increases need to be accounted for as well as the other budget line items. Selectman O'Connell's concern is that the need for growth or expansion never seems to be built into the budget. Can we build in extra items that are needed for a department that might go above the percentage allowed? Town Administrator Chambers feels that would be something that would be listed separately. Chairman Herman noted the task flow as follows: Finance input July 25 then to the Town Administrator in August,

## MINUTES OF BOARD OF SELECTMEN MEETING - 5/24/2004

then to the Board of Selectman by September 2, then to the Budget Advisory Committee (BAC) by October 1 then get together to review between Board of Selectman and BAC December 1. As long as the process is overlaid with a timeline, this new flow may work, but if it is done too early, it is not a realistic view of the expenses. Chairman Herman wants to work off the numbers that are as real as they can be. Town Administrator Chambers said the most recent figures are available when those budget numbers are pulled together. Last year we were not able to pull together the Board of Selectman and BAC because the BAC was not appointed until September. This year they have already been appointed, which may allow us to do that. Town Administrator Chambers likes the Board of Selectman and BAC being able to hear each other's questions as well as those of Department Heads.

Vice Chairman Daniels said if a BAC presentation is made in September, the figures will not be accurate, and so a lot of line items may look like there is a lot of surplus at that point. Town Administrator Chambers noted there is still a whole quarter left in the year by September. This year we will have the history from last year since the system was implemented. Chairman Herman said if Board of Selectman members look at the monthly reports, you can see when the money is spent year to year. The timelines are easier to identify with because the year runs similar each year. Selectman O'Connell feels we could try this new budget process this year and if it does not work change it next year. Selectman Pickett agrees that we could try it to see if it will work. Vice Chairman Daniels' concern is that last year the figures were more real because they were closer to the end of the year. Town Administrator Chambers sees a problem with sitting down with the BAC the night before the public hearing. Rose Evans added that the holiday season is very difficult to get everyone together. Vice Chairman Daniels moved to adopt the proposed budget philosophy and schedule for the 2005 budget process. Selectman O'Connell seconded. All were in favor. Dates will be set at the end of tonight's meeting.

**-Perambulation of Town Boundaries.** The Town of Mason has requested Board of Selectman assistance in performing a perambulation of Town boundaries. Mason has requested input on the date. Members need to go on a walk of the boundaries. Chairman Herman suggested there needs to be someone who knows what the markers look like on the walk. Diane Fitzpatrick offered to assist on the walk. Selectman O'Connell will also attend. All members agreed that the walk should be set up on a Monday, or Tuesday, the last week of July being a particular good time.

**-Request for Organization of Neighborhood Watch.** Selectman O'Connell noted that the people interested in the neighborhood watch met last Thursday and looked at maps. They are contacting Officer Durham and will work on their own with him. This item does not need to be on the Board of Selectman agenda.

**-Discussion of Traffic Safety Concerns.** Polly and Norman Cote have requested attention to the speed limit on Dearborn Street. Town Administrator Chambers recommended this issue be referred to the Traffic Safety Committee for the signage. Vice Chairman Daniels moved to refer this to the Traffic Safety Committee. Selectman Pickett seconded for discussion. Town Administrator Chambers also suggested asking the committee to look at the intersection of Middle Street and Putnam Street, where the head in parking is blocking part of the view of turning traffic. All were in favor.

**-Consideration of Highway Safety Grant.** Chief Douglas has requested Board of Selectman approval for the Federal Highway Safety Grant from the State of NH. Town Administrator Chambers noted the Town has done these many times in the past. Vice Chairman Daniels moved to approve based on the approval of the Traffic Safety Committee. Selectman Pickett seconded. All were in favor. Chief Douglas is submitting this application and is a member of the committee, and as such Vice Chairman Daniels asked that Chief Douglas be involved in the process, but recuse from voting. Vice Chairman Daniels moved to have Chief Douglas involved in the discussion for the Highway Safety Grant as a part of the Traffic Safety Committee, but to recuse from voting. Selectman Pickett seconded. All were in favor.

**-Request for Approval of Changes to the Employee Handbook of Personnel Rules.** Ruth Bolduc has requested Board of Selectman approval of the revisions to the Employee Handbook of Personnel Rules, specifically in Chapters 3 and 5. Vice Chairman Daniels moved to approve the modifications as presented by Ruth Bolduc. Selectman O'Connell seconded. All were in favor.

**-Appointment of New Ambulance Study Committee Members.** The Ambulance Study Committee had an organizational meeting last week, and Gil Archambault was under the impression that his name was on the list of committee members, but it was not. He is interested in serving on this committee, as is Kevin Federico. The committee



## MINUTES OF BOARD OF SELECTMEN MEETING - 5/24/2004

members would be happy to have these two members. Chairman Herman asked Kevin Federico to explain what his background is and how it would apply to this committee. Kevin Federico explained that he resigned from the Milford Ambulance on good terms and is now an ambulance paramedic in Massachusetts. He wants to be able to be a part of this process. Vice Chairman Daniels moved to appoint both Gil Archambault and Kevin Federico to the Ambulance Study Committee. Selectman O'Connell seconded. All were in favor. Selectman Pickett asked if the charge for the committee now needs modification for the number of members. Vice Chairman Daniels moved to modify the charge to include 9 voting members. Selectman Pickett seconded. All were in favor.

**-Discussion of Town Wide e-mail Concerns.** Chairman Herman requested that until the Town e-mail system is fixed that hers not be used. Town Administrator Chambers said the Town e-mail is now able to receive and send, but the contacts are gone and all the e-mail history is gone. Leen had to go to each Town computer to set up Outlook. The security systems still need to be added.

**-Acceptance of Resignation and Request for Vacation Pay-Out.** Fire Department Captain Locicero has resigned effective June 4, 2004 and has requested his vacation payout prior to his last day of employment. Vice Chairman Daniels moved to accept the resignation of Captain Locicero with regret. Selectman O'Connell seconded. All were in favor. Vice Chairman Daniels moved to authorize the disbursement of the accrued vacation time of 130 hours. Selectman O'Connell seconded. All were in favor. This position will be posted internally for 2-3 weeks then it will be advertised. Chief Pauley will keep the Board of Selectman up-to-date on the situation.

**-Request for Funds for Cost of Service Study.** Bill Parker, Planning Director, has requested funding for a Cost of Service study, not to exceed \$6,000. Chairman Herman asked if NRPC is doing this? Bill Parker does not know if that will happen yet, he is waiting to get a scope of work from them. Town Administrator Chambers added that the money for this study is available in the Board of Selectman budget; she feels there is enough in the budget for contracted services. Chairman Herman said the Board of Selectman might be asked to fund the Ambulance Study Committee or the Water District Committee. The newsletter needs to be funded when it is done, which will cost about \$5,000, so that would be about \$18,000 for 3 quarterly newsletters. Town Administrator Chambers thinks this request could be covered in the Board of Selectman budget and at some point there may be money available to transfer from the Police Department because they are short-staffed. There are three openings at the Police Department right now. The positions are posted and testing has already been done. Selectman O'Connell indicated that this information is critical in order for the Planning Board to move forward. Vice Chairman Daniels asked how the Town can limit the number of new building permits. Bill Parker responded it needs to tie into something else; it can be written into the regulations and a lottery system can be used. Town Administrator Chambers also noted that if the Town enacts this, the permits can be controlled. Selectman O'Connell moved to approve the funds for a Cost of Service Study, not to exceed \$6,000. Selectman Pickett seconded for discussion. Vice Chairman Daniels asked if we know of other Towns who have done this and if it has been successful? Bill Parker said that all the surrounding towns do this and it is successful. All were in favor.

**-Request for Release of Escrow Funds - Christmas Tree Estates & Milford Animal Hospital.** Bill Parker, Planning Director, requested the release of escrowed funds in the amount of \$28,578.46 plus interest, for Christmas Tree Estates. Selectman O'Connell moved to approve the release of said funds, to which Vice Chairman Daniels seconded. All were in favor. Bill Parker, Planning Director, requested the release of escrowed funds in the amount of \$16,522 for the Milford Animal Hospital. Selectman O'Connell moved to approve the release of said funds, to which Vice Chairman Daniels seconded. All were in favor.

**-Reaffirmation of Q1 - 2004 Manifest FY2004.** Vice Chairman Daniels moved to approve the Q1 - 2004 Manifest and Selectman O'Connell seconded as follows:

	A/P VENDOR WARRANTS	PAYROLL CHECKS	PAYROLL DIR DEP.	PAYROLL TAXES	ESCROW TRANSFERS
JAN 04	\$(1,861,106.96)	\$(158,331.80)	\$(173,521.80)	\$(80,659.97)	\$ 4,363.14
FEB 04	\$(1,807,363.67)	\$(125,059.07)	\$(142,568.54)	\$(77,574.04)	\$(13,518.07)
MAR 04	<u>\$(2,235,266.73)</u>	<u>\$(125,154.05)</u>	<u>\$(147,899.13)</u>	<u>\$(99,815.05)</u>	<u>\$(23,781.10)</u>
Q1-					
Totals	\$(5,903,737.36)	\$(408,544.92)	\$(463,989.47)	\$(258,049.06)	\$(32,936.03)

## MINUTES OF BOARD OF SELECTMEN MEETING - 5/24/2004

**-Petition from Verizon and PSNH for Pole Licenses.** A petition and pole license for Greystone drive was presented for approval. Selectman Pickett asked when this was received, as the date on the license is April 19. Town Administrator Chambers was unsure when it was received. Chairman Herman asked that they be dated stamped from now on. Vice Chairman Daniels moved to approve the license. Selectman Mannino seconded. All were in favor.

**-Request for Water/Sewer Abatement (1).** There was one request for water/sewer abatement. Vice Chairman Daniels moved to approve the requested abatement for water/sewer as follows:

<u>Account</u>	<u>Location</u>	<u>Water</u>	<u>Sewer</u>	<u>Total</u>
4078200	200 Union St.	\$23.27	\$52.30	\$75.57

Selectman O'Connell seconded the motion. All were in favor.

**-Request for Property Tax Abatements (2).** Vice Chairman Daniels moved to approve the property tax abatement for SAT Sr. Limited Partnership in the amount of \$7,324.96. Selectman O'Connell seconded. All were in favor. Vice Chairman Daniels moved to approve the property tax abatements for Nash & Forest Real Estate in the amounts of \$7,837.27 and \$5,212.06. Selectman O'Connell seconded. All were in favor.

**-Consideration of Discretionary Preservation Easement Application.** An application for a discretionary preservation easement has been submitted for the property at 24 Maple Street. In the opinion of Greg Heyn, Assessor, this property does not seem to qualify. The age of the barn in question is not mentioned in the application. Selectman O'Connell suggested it does not seem that this belongs in front of the Board of Selectman but might need to go before the ZBA. Town Administrator Chambers thinks the apartments were there before these owners had the property. This property is not highly visible, said Selectman Pickett, and its use as a barn is not effective when skylights are in the roof. Selectman O'Connell thinks the Board of Selectman needs to check with the ZBA before any decision is made; there is a movement to preserve barns in NH. Town Administrator Chambers feels a trip to see this building might be necessary and for all members to review the guidelines prior to the trip. Vice Chairman Daniels moved to table. Selectman O'Connell seconded for discussion. Chairman Herman asked for Town Administrator Chambers to find out the age of the building. Town Administrator Chambers said this application could be denied based on the fact that the information was not provided to the Board. She suggested sending a letter to the owner asking some questions about the property and how they plan to preserve the barn. Selectman Pickett asked if this should be brought to the ZBA? Town Administrator Chambers will have Kevin check that. All were in favor of tabling.

**-Consideration of Property Tax Abatement.** Selectman Mannino moved to deny the request for property tax abatement for the Laurel Hill Apartments as recommended by Greg Heyn, Assessor. Vice Chairman Daniels seconded. All were in favor.

### 7. ITEMS NOT ON THE AGENDA.

**-Ambulance Write-Off Committee Report.** This report was submitted for information only as requested at the last Board of Selectman meeting. Chairman Herman asked if Town employees pay for ambulance services? Town Administrator Chambers explained that is a benefit to Town employees and their families. Chairman Herman feels this should be a benefit that is included in the list of benefits for employees - it needs to be included. Selectman O'Connell asked if the employee pay stubs reflect the amount of money being paid by the Town for medical and other benefits? Town Administrator Chambers said only the portion that is paid for by the employee is on the pay stub. Selectman O'Connell feels that people do not know the amount of money being paid by the Town for the employees to have health insurance.

**-Amendment to Declaration of Condominium.** A letter was received from a unit owner at Ledgewood of Milford regarding the reduction of the number of units in Phase IV. Selectman O'Connell indicated at the Planning Board meeting there were several residents in attendance who are opposed to this change, however because the developer still owns the majority of the units, he had more votes. No further action taken.

## MINUTES OF BOARD OF SELECTMEN MEETING - 5/24/2004

**-Monthly Budget Printouts.** If Board of Selectman members are not reviewing these reports, please let Rose Evans know and she will stop printing them for members. Chairman Herman reviews the reports each month. Town Administrator Chambers asked about the recreation revolving fund showing a deficit. The programs that will cause the budget to go over will be the pool programs. Vice Chairman Daniels asked if new fees were brought in would that make up the deficit. Town Administrator Chambers said it would help make up for some of the costs, but not all. Selectman Pickett asked if there is a projected spend plan for the rest of the year and projected revenue? Town Administrator Chambers said there is in the recreation revolving fund budget. Kevin Tyska gave a memo to the Board of Selectman that did not paint a very pretty picture. Selectman O'Connell said the organizations have not yet paid the field fees and will pay the same fees as last year. Town Administrator Chambers said the pool had less expenses last year because there were fewer people signed up for programs and staff was let go. Some of the programs will break even. Vice Chairman Daniels asked why more programs can't be developed to generate revenue. Town Administrator Chambers said there are start up costs, so that would not make money the first year. Chairman Herman requested that Kevin Tyska be asked for an update.

**-Newsletter.** If anyone has an article to submit for the Board of Selectman newsletter, please forward it to Chairman Herman.

### **-Schedule for Budget Meetings.**

June 14 - Look at default budget (during regular Board of Selectman meeting)  
June 18 - 6-8:00 a.m. Board of Selectman discuss wage portion of budget  
June 23 - Board of Selectman meet to discuss budget 5-7:30 p.m.  
June 28 - Meet with Budget Committee

Chairman Herman is comfortable letting the Budget Committee know when each Board of Selectman meeting is being held to discuss the budget.

## **8. INFORMATION ITEMS.**

## **9. ANNOUNCEMENTS.**

**-Next BOS Meeting.** The next regular meeting of the Board of Selectmen will be Monday, 14 June 2004, at 5:00 p.m.

There being no further business to come before this Meeting, the Board adjourned at 11:30 p.m.

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Chairman

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Vice Chairman

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